

DELTA PROTECTION COMMISSION

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**AGENDA ITEM # 14**

November 6, 1998

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Possible Request for Amendment of Delta Protection Act

Current Language in the Delta Protection Act:

Public Resources Code, Section 29736 currently states:

The term of office of the members of the commission shall be for four years. No member may serve in excess of two terms.

Discussion of Issue:

Now that the sunset date of the Commission has been extended to January 1, 2010, the issue of term limits is relevant. The limitation would create problems for the five reclamation district representatives and for some County Supervisors. The five Reclamation District representatives have served since the Commission first met and would have to step down in two years (Calone, Ferreira, McCarty, Mello, Salmon). Two of the Reclamation District representatives currently serve as officers of the Commission.

The County Supervisors who serve on the Commission are those whose supervisorial district is within the Primary Zone (Section 29735 (a)). For several Counties there is only one supervisorial district within the Primary Zone, thus there could eventually be a conflict between the term limits provision of the Act and the requirement that the County Supervisor representing a County be from a district in the Primary Zone.

Staff Recommendation:

The Commission should hold a public hearing and determine if it would be appropriate to request deletion of the term limits provision in the Delta Protection Act to allow for appropriate representation of the Counties and to allow for continuity of representation of the Reclamation Districts.